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10/749,842

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EXAMINER

ADAMS, CHARLES D

ART UNIT

PAPER NUMBER

2164

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/749,842

Applicant(s)

PANDIPATI ET AL.

Examiner

Charles D. Adams

Art Unit

2164

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11-17-06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Remarks

1. In response to communications filed on 17 November 2006, claims 7-14, 19, and 22-25 are amended. Claims 1-25 are pending in the application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 25 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 25 claims "wherein the data entered in multiple formats includes data entered using a keyboard **or** data extracted by the software from scanned documents containing alphanumeric information or graphic information". As **or** was used, only one limitation is necessary. However, the following limitation states "wherein the entered **and** extracted data is sorted into predetermined categories for storage in the data files". In this case, **and** was used, indicating that both entered and extracted data is stored. However, this is unclear, because the earlier limitation indicates that its possible that only one type of the two types of data may be stored.

Claim Rejections - 35 USC § 102

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4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3, 7, 9, 11, 14-16, 18, 20-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Syroid et al. ("Outlook 2000 In a Nutshell").

As to claim 1, Syroid et al. teaches a single software package comprising a data entry interface that supports entry of data in multiple formats so that all personal data of a user can be entered into a single personal data file of a single program (see Syroid et al. page 462. All personal folders can stored in a single Personal Storage file (PST). Also see page 460. Multiple folder types can be archived).

As to claim 2, Syroid et al. teaches further comprising a provision by which all of the entered personal data is organized and stored in the single personal data file of the single program (see Syroid et al. page 462).

As to claim 3, Syroid et al. teaches further comprising a provision by which organization, storage and retrieval of the entered data are governed by user-defined parameters (see Syroid et al. pages 19, 20, and 462).

As to claim 7, Syroid et al. teaches further comprising the creation of user-defined categories that are able to be created by the user and displayed adjacent to the pre-defined data categories (see Syroid et al. pages 160-161. Users can create new folders and add shortcuts to the Outlook Bar, which contains default folders).

As to claim 9, Syroid et al. teaches wherein lists are able to be created and stored in the single personal data file, the lists including at least one of a Christmas/New Year's greeting card list, birthday/wedding anniversary card list, invitation to event lists and/or user defined lists (see Syroid et al. pages 340 and 462).

As to claim 11, Syroid et al. teaches wherein the multiple formats include voice or video recordings (see Syroid et al. pages 14. "When using the MIME standard, messages can contain the following types: Multimedia: image, audio, and video messages". Also see pages 12-13, in which Outlook is disclosed as supporting the MIME standard).

As to claim 14, Syroid et al. teaches further comprising provisions for access to and management of the entered personal data by accessing the data in any of word processing format, spreadsheet format, image format, audio format, or video format (see page 129 and 160. Outlook has navigation tools that provide for management of data in word processing format and image format).

As to claim 15, Syroid et al. teaches further comprising a provision by which an entirety of a user's personal data is searched by performing a single search (see page 117, Figure 3-43. The "Personal Folder" box can be checked, and subfolders can be searched. Therefore, the entirety of the personal data can be searched).

As to claim 16, Syroid et al. teaches further comprising a provision for creating new categories, sub-categories, and sub-sub categories of personal data (see page 543, 544, and Figure 17-4. Folders can be created in sub-folders).

As to claim 18, Syroid et al. teaches wherein the entered data can be accessed and viewed in various formats, including lists, tables, graphs, and charts (see pages 158-160, figure 4-28, and page 164, Figure 4-31. "For example, you could have your Inbox running in one window with the Outlook Bar and/or Folder List displayed for fast file management chores, and in a separate window (typically minimized) your Calendar displayed in the view of your choice, devoid of any navigation tools", pg 158, "Open in New Window". Also see pages 77-80 for customizing views in Outlook 2000).

As to claim 20, Syroid et al. teaches wherein the various formats for accessing and viewing are user defined by selection of categories, sub-categories, and/or sub-sub-categories (see pages 316-317 and page 158, "Open in New Window").

As to claim 21, Syroid et al. teaches further comprising a provision to alert the user in advance of an event (see page 296-297).

As to claim 22, Syroid et al. teaches wherein multiple formats include word-processing format enabling entry of data via a keyboard, and spreadsheet format enabling entry of numerical data for numerical processing (see page 160-161 (a calendar is a spreadsheet. Dates and Times can be entered on the calendar. As times are numbers, they undergo 'numerical processing'. Also 266-267, wherein data is entered by a keyboard).

As to claim 23, Syroid et al. teaches further comprising a provision by which multiple users are supported in an environment, wherein each user is provided an independent user ID and password (see page 25 "Internet Mail Logon").

As to claim 24, Syroid et al. teaches further comprising a provision by which a user's personal data file is uploaded to a unique website to allow easy access to the personal data file from anywhere Internet access is provided (see page 25 "Mail Connection Type", "At home you use a dial-up connection to access your personal mail via an ISP").

As to claim 25, Syroid et al. teaches a single software package comprising a data entry interface that supports entry of data in multiple formats so that personal data of a

user can be entered into a single personal data file (see Syroid et al. page 462. All personal folders can stored in a single Personal Storage file (PST). Also see page 460. Multiple folder types can be archived),

Wherein the data entered in multiple formats includes data entered using a keyboard or data extracted by the software from scanned documents containing alphanumeric information or graphic information (see pages 332-333. Data is typed out into the fields), and

Wherein the entered and extracted data is sorted into predetermined categories for storage in the data files (see pages 244-247. Rules can be set up so that arriving emails (input by keyboard) are automatically sent to predetermined categories) .

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Syroid et al. ("Outlook 2000 In a Nutshell") in view of Hu (US Patent 6,115,241).

As to claim 4, Syroid et al. teaches the single software package as claimed in claim 1.

Syroid et al. does not teach wherein the data entry interface supports data entered by scanning.

Hu teaches wherein the data entry interface supports data entered by scanning (see column 3, lines 35-42).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. by the teaching of Hu, since Hu teaches that "there are many situations in which a scanner operating with a host computer scans document and downloads resultant images of the document to the host computer" (see 3:35-38)

8. Claims 5-6, 8, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syroid et al. ("Outlook 2000 In a Nutshell") in view of Examiner taking Official Notice.

The following section of the MPEP (Chapter 2106, Section IV) is used in the following rejections:

If the difference between the prior art and the claimed invention is limited to descriptive material stored on or employed by a machine, Office personnel must determine whether the descriptive material is functional descriptive material or nonfunctional descriptive material, as described supra in paragraphs IV.B.1(a) and IV. B.1(b). Functional descriptive material is a limitation in the claim and must be considered and addressed in assessing patentability under 35 U.S.C. 103. Thus, a rejection of the claim as a whole under 35 U.S.C. 103 is inappropriate unless the functional descriptive material would have been suggested by the prior art. In re Dembiczak, 175 F.3d 994, 1000, 50 USPQ2d 1614, 1618 (Fed. Cir. 1999). Nonfunctional descriptive material cannot render nonobvious an invention that would have otherwise been obvious. In re Ngai, **>367 F.3d 1336, 1339, 70 USPQ2d 1862, 1864 (Fed. Cir. 2004) (combining printed instructions and an old product into a kit will not render the claimed invention nonobvious even if the instructions detail a new use for the product).< Cf. In re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983) (when descriptive material is not functionally related to the substrate, the descriptive material will not distinguish the invention from the prior art in terms of patentability).

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Common situations involving nonfunctional descriptive material are:

- a computer-readable storage medium that differs from the prior art solely with respect to nonfunctional descriptive material, such as music or a literary work, encoded on the medium,
- a computer that differs from the prior art solely with respect to nonfunctional descriptive material that cannot alter how the machine functions (i.e., the descriptive material does not reconfigure the computer), or
- a process that differs from the prior art only with respect to nonfunctional descriptive material that cannot alter how the process steps are to be performed to achieve the utility of the invention.

Thus, if the prior art suggests storing a song on a disk, merely choosing a particular song to store on the disk would be presumed to be well within the level of ordinary skill in the art at the time the invention was made. The difference between the prior art and the claimed invention is simply a rearrangement of nonfunctional descriptive material.

As to claim 5, Syroid et al. teaches further comprising pre-defined personal data categories including: a) contact information and directions (see page 332, Figure 8-3);

Syroid et al. does not teach b) financial matters.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include a pre-defined folder for financial matters, because it is simply non-functional descriptive data. Having a folder for financial data doesn't change the algorithm itself. In addition to this, one of ordinary skill in the art at the time the invention was made would have recognized that Syroid et al. teaches that one can implement custom folders in Outlook 2000 (see pages 543-544).

Syroid et al. as modified teaches c) reminders (see page 296-297, and Official Notice); and d) records (see page 266, Figures 6-24 and 6-25).

As to claim 6, Syroid et al. teaches the single software package as claimed in claim 5.

Syroid et al. does not teach further comprising pre-defined data sub-categories within each of the categories.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include more pre-defined folders that were child folders of the already existing pre-defined folder. An increased number of child folders is non-functional descriptive material, and would have been obvious to one of ordinary skill in the art.

As to claim 8, Syroid et al. teaches further comprising free data categories in which information related to contact information for a person may be entered (see page 339-340),

Syroid et al. does not teach including directions to the person's location, names and ages of the person's spouse and children, including birthdays and anniversaries for the person, and

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include these types of information in the notes field. These information types simply describe non-functional descriptive material. The addition of different types of information to a notes field would have been obvious to one of ordinary skill in the art at the time the invention was made.

Syroid et al. as modified teaches whether there are lists that should include entries for the person's contact information and/or the directions (see page 332, Figure 8-3, "Categories").

As to claim 17, Syroid et al. teaches the single software package as claimed in claim 1.

Syroid et al. does not explicitly teach further comprising a provision to store a user's personal data on a CD or a diskette.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include recording a data file on different mediums. Figure 13-4, page 462 of Syroid et al. shows that one can choose the location where one's personal data will be stored. It also shows a browse button. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have browsed to a floppy diskette or CD drive to save one's personal data file on.

As to claim 19, Syroid et al. teaches the single software package as claimed in claim 18.

Syroid et al. does not teach wherein the various formats for accessing and viewing include Christmas mailing address labels and birthday and wedding anniversary greeting card labels for birthdays and wedding anniversaries occurring in a particular month or over a pre-determined duration.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include viewing items as certain types of labels, depending on a certain event or season. Contacts can be viewed by "address cards" (see page 78). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included certain event labels on those address cards.

9. Claims 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syroid et al. ("Outlook 2000 In a Nutshell") in view of Cunningham (US Patent 6,208,436).

As to claim 10, Syroid et al. teaches the single software package as claimed in claim 7.

Syroid et al. does not teach in which directions are able to be entered by scanning, and the alphanumeric information therein extracted.

Cunningham teaches in which directions are able to be entered by scanning, and the alphanumeric information therein extracted (see 8:38-9:2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. by the teaching of Cunningham, since Cunningham teaches "the present invention provides an easy to learn, easy to use, reliable method for multiple users to share a networked peripheral device that provides image scanning functionality" (see 3:28-31).

As to claim 12, Syroid et al. teaches the software package as claimed in claim 5.

Syroid et al. does not teach wherein alphanumeric information is search and extracted from scanned documents.

Cunningham teaches wherein alphanumeric information is search and extracted from scanned documents (see 8:38-9:2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. by the teaching of Cunningham, since Cunningham teaches “the present invention provides an easy to learn, easy to use, reliable method for multiple users to share a networked peripheral device that provides image scanning functionality” (see 3:28-31).

10. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Syroid et al. (“Outlook 2000 In a Nutshell”) in view of Cunningham (US Patent 6,208,436), and further in view of Official Notice.

As to claim 13, Syroid et al. teaches the software package as claimed in claim 5.

Syroid et al. does not teach wherein the personal data of the user stored in the data file includes images of scanned documents,

Cunningham teaches wherein the personal data of the user stored in the data file includes images of scanned documents (see 8:38-9:2),

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Syroid et al. as modified does not teach including at least one of wills, trusts, passports, house deeds, automobile ownership papers, drivers license, social security card and records, insurance policies, marriage and birth certificates, organ donor information, blood type, educational and professional certificates, CD certificates, data from receipts of jewelry and other valuables, warranties, receipts and/or appraisal for jewelry, clothes, furniture, and other valuables, photos of jewelry, passports, and warranties.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. by the teaching of Cunningham, since Cunningham teaches "the present invention provides an easy to learn, easy to use, reliable method for multiple users to share a networked peripheral device that provides image scanning functionality" (see 3:28-31).

It would further have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include categories and electronic messages that contain these specific types of data. It is inherent that Outlook 2000 allows one to create custom folders and organize items (see Syroid et al. pages 160-161).

Response to Arguments

11. Applicant's arguments filed 17 November 2006 have been fully considered but they are not persuasive.

As to claim 1, Applicant argues that Outlook does not allow entering personal data in a spreadsheet format, wherein numerical processing can be performed after the data is entered, and because Outlook does not allow the entering of scanned documents, voice recordings, or video recordings. However, none of those limitations appear in claim 1. Examiner also notes that Syroid et al. teaches multiple formats for data entry on pages 160 and 164 (calendar and email are displayed).

Applicant also argues that Outlook does not contain a single file. In response to this argument, Examiner notes that Figures 13-2 and 13-4 on pages 460 and 462, respectively, show that users can select an "archive file" as a location to store data.

Applicant argues that Outlook does not include a provision by which entered personal data is organized and stored in a single file. In response to this argument, Examiner notes Figures 13-2 and 13-4 on pages 460 and 462, respectively, which show that users can select an "archive file" as a location to store data. The remainder of the arguments in claim 2 are directed towards features not claimed.

Applicant argues that "in Outlook, on the other hand, a user must go through the cumbersome steps as set forth in pages 463-468". In response to this argument, Examiner notes that Outlook still teaches the claimed limitations, regardless of how cumbersome it may be perceived to be.

In response to applicant's arguments in regards to claims 15, 16, 18, 20, and 24 that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "user's personal data in word processing format, personal numerical data in spreadsheet format, scanned documents, voice recordings, and video recordings") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

As to claim 4, applicant argues that "even if Hu is combined with Outlook, this still does not teach or suggest extracting, managing, processing, or categorizing of the scanned data". However, these limitations do not appear in the claim.

As to the arguments in regards to claims 5-9, 11-13, 17, 19, 22, and 25, Examiner notes that Outlook does allow entry of voice recordings and video recordings (see Syroid et al. pages 14. "When using the MIME standard, messages can contain the following types: Multimedia: image, audio, and video messages". Also see pages 12-13, in which Outlook is disclosed as supporting the MIME standard). Cunningham is relied upon to teach entry of scanned documents as recited in amended claims 10 and 12. Syroid et al. also teaches entry of data into spreadsheet format (see page 160. A calendar is a spreadsheet).

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles D. Adams whose telephone number is (571) 272-3938. The examiner can normally be reached on 8:30 AM - 5:00 PM, M - F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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